

MEETING #15 April 10

At a Regular Meeting of the Madison County Board of Supervisors on
April 10, 2007 at 3:00 p.m. in the Madison County Administrative Center Auditorium:

PRESENT: Eddie Dean, Chairman
William L. Crigler, Member
Bob Miller, Member
Clark Powers, Member
V. R. Shackelford, III, County Attorney.
Lisa R. Kelley, County Administrator
Jacqueline S. Frye, Secretary

ABSENT: James L. Arrington, Vice-Chairman

Chairman, Eddie Dean called the meeting to order and announced that James L. Arrington would be absent from today's session.

IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION

Donald Gore, Resident Engineer, provided the following report: stone is being placed on secondary roads; trimming of overhanging limbs; he visited Turner Drive and also met with Mrs. Doris Turner (Turner – will need easement in order to create a widened space in the roadway to allow for passing; however, Mrs. Turner was unable to advise if an easement would be provided to the Virginia Department of Transportation; will continue to work on this issue; also looking to combine trash removal with mowing operations and also looking to secure another contract to include both procedures to be completed in conjunction with one another.

Donald Gore stated James Hale had verbalized concerns at a previous meeting about the curbing at Church Street; he advised he will speak with the contractor and see if this portion needs to be rebuilt; received a letter from a resident of Graves Mill about an abandoned roadway – reviewed the plat and survey that was implemented during the flood of 1995 and has concerns about the two documents not being the same; therefore, the documents have been forwarded to the Right-of-way Department for review.

Donald Gore stated following the meeting of the Six Year Road Improvement Plan, he reported the funding being provided was \$786,000.00 but was decreased to \$609,000.00 the following morning; however, currently, funding stands at \$633,000.00 – he will provide an update following approval of the Budget Bill very shortly.

Donald Gore also stated improvements to Route 642 will be initiated at the end near Route 231 first and build the other end later once funding has been received.

Chairman, Eddie Dean thanked Donald Gore for his assistance and also asked if the Six Year Road Improvement Plan will need to be revisited.

Donald Gore advised this would not be required as the Madison County Board of Supervisors already approved the Priority List – he advised there will only need to be additional funding allocated; he advised he will keep the Madison County Board of Supervisors informed.

William L. Crigler asked if Route 695 will be removed from the existing Six Year Road Improvement Plan; he also stated the improvements are to be implemented with project funding.

Donald Gore advised this decision is entirely up to the Madison County Board of Supervisors; he also advised there are issues with attaining complete right-of-way; however, the improvements can still be considered as a “project” although there will only be spot improvements instead of a full reconstruction- improvements will still be funding as previously reported but will be less.

Chairman, Eddie Dean verbalized concerns about the curbing at Church Street and whether it was built according to specifications as indicated in the plans, to which Donald Gore indicated he would have to investigate.

Lisa Kelley, County Administrator, advised there has been an inspector from the Virginia Department of Transportation on hand periodically during construction.

Chairman, Eddie Dean also advised there has been construction occurring during the project according to specifications that were approved and are now requiring change – concerns were also expressed as to what funding will be utilized to cover these “corrections.”

Donald Gore advised he received a telephone call from the Madison Drug

Store regarding the steps – according to the Building Inspector, the steps are not in accordance with building code specifications; he advised he spoke with the Contractor about this issue and advised this error will not be determined to be the fault of the Virginia Department of Transportation as this is a Town/County project.

In closing, Donald Gore stated the contractor advised they were preparing to tear the steps out at the Madison Drug Store; he also spoke with Doug Meredith of LMW, P.C. and feels there is a liability concern.

Lisa Kelley, County Administrator, advised when she last communicated with Doug Meredith of LMW, P.C., he advised he was waiting to hear from the Virginia Department of Transportation regarding whether they would allow the higher curbing – if not, when the sidewalk is removed to address the issue of the building code regarding the slope, the steps will also need to be removed so the sidewalk can be reconstructed to a curb height that would be approved by the Virginia Department of Transportation which cannot be accomplished should the existing steps remain.

In closing, Lisa Kelley, County Administrator, advised as soon as all specifics have been approved by the Virginia Department of Transportation, the aforementioned issue can be resolved.

Donald Gore indicated the Virginia Department of Transportation will approve a curbing height of six (6) inches.

Lisa Kelley, County Administrator, indicated she would advise Doug Meredith of LMW, P.C., of the aforementioned information.

Donald Gore stated he has made several attempts to contact Mr. Meredith and has not received a return call to date.

Clark Powers asked if the remedial work can be accomplished on the steps to the Madison Drug Store without interfering with the store's normal business, to which Donald Gore indicated "yes"; however, when concrete is being poured store patrons will have to be re-routed through the parking lot.

Nan Coppedge asked about funding for renovations to Route 642.

Donald Gore advised that Route 642 is the first priority on the list; he advised that based on this morning's meeting, current funding is \$633,000.00 – he stated budget allocated funding will be received in July 2007 which might be enough funding to

begin the renovations; however, if there isn't enough funding during July 2007 through July 2008, funding received in July 2009 can be utilized as the project must be fully financed during the year of completion.

V. R. Shackelford, III, County Attorney asked about Revenue Sharing funds for Larkins Mill in Madison County.

Donald Gore stated he was unsure of the status of the request to date. He also advised that Larry Fanton of the Virginia Department of Transportation will be present at 4:00 p.m. today to discuss the abandonment of portions of Route 642 (Wolftown).

IN RE: PAYROLL & CLAIMS & SUPPLEMENTAL APPROPRIATIONS

Chairman, Eddie Dean asked if there were any questions related to the proposed Payroll & Claims Report as submitted for the month of March 2007.

After discussion, on motion of William L. Crigler, seconded by Bob Miller, the warrants issued in satisfaction of payroll for March 2007 (Checks #30109692 through #30109812 and electronic transfer #16) are hereby approved, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Absent
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

On motion of William L. Crigler, seconded by Bob Miller, the warrants issued in satisfaction of claims against the County for March 2007 (Checks #10124542 through #10124742) are hereby approved, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Absent
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

IN RE: SUPPLEMENTAL APPROPRIATIONS

Chairman, Eddie Dean stated the following supplemental appropriations need to be approved by the Board:

- | | | |
|----|--|--------------|
| 1. | Park & Recreation (funds deposited for Youth Sports)
#5690-71100 | \$ 13,240.40 |
| 2. | Park & Recreation (funds deposited for Health Fitness)
#5691-71100 | \$ 452.00 |
| 3. | General Reassessment Charges
3170-12320 | \$ 40,000.00 |
| 4. | Sheriff (reimb. from Insurance Co. for damage to
Vehicle due to wind blowing tree on vehicle)
#6009-31200 | \$ 1,318.32 |
| 5. | Sheriff (DMV Grant) | \$ 3,995.00 |
| 6. | Sheriff (DMV Grant)
#1730-31200 | \$ 1,741.22 |
| 7. | #8106-43200 (Reimbursement from Hawkins Body
Body Shop for repairs needed to 1995 Chevy truck that
Was purchased from Hawkins) | \$ 650.00 |
| 8. | School Request (Capital Improvement Projects as
Recommended by County Administrator) | \$167,500.00 |
| | a) Primary roof replacement | \$55,000.00 |
| | b) High School cooling pipes | \$50,000.00 |
| | District Office Water Tmt.Plant | \$18,000.00 |
| | High School Roof Repair | \$25,000.00 |
| | Wetsel Replace Floor Tiles | \$13,000.00 |
| | Wetsel Replace Lights | \$ 6,500.00 |

TOTAL: \$228,896.94

After discussion, on motion of William L. Crigler, seconded by Bob Miller, the Board approved the aforementioned supplemental appropriations totaling \$228,896.94, with the following vote recorded:

Eddie Dean

Aye

James L. Arrington	Absent
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

Chairman, Eddie Dean explained the assessment for County properties will be effective during the 2008 tax year.

Bob Miller questioned the total number of parcels the County has been charged for on the invoice.

Teresa Miller, Finance Director, advised of the agreement for payment of the reassessment process.

Chairman, Eddie Dean advised the Board can approve the amount billed and investigate the total number of parcels that have been noted as having been assessed to date.

IN RE: MADISON COUNTY SCHOOLS

Dr. Brenda Tanner, Superintendent, advised the students are on Spring Break; also several students were recognized at last evening's meeting (i.e. Student Congress participants, local outstanding artist); she advised the Madison School Board approved renewal of health care benefits provided by Southern Health with no increase noted; she provided a staff report on transportation and explained the recruiting and training requirements – also indicated there is a dire need for drivers for special routes, special educational students, sporting and special events) – discussed recruitment and training and also provided criteria required for an individual to be qualified as a bus driver; she stated the Madison School System continues to struggle with a shortage of drivers on a regular basis in addition to special events; also reviewed vehicle maintenance report and have purchased a B-5 mix of biodiesel – usage will be monitored.

Dr. Tanner thanked Erik Weaver, Sheriff, for talking with local students about appropriate behavior in the school setting, responsible driving and being safe in other situations.

In closing, she thanked the Madison County Board of Supervisors for approving the supplemental request as provided from the Madison School System.

IN RE: MADISON FACILITIES & MAINTENANCE

Ross Shifflett, Director of Facilities & Maintenance, provided a report to the Board for review; heating/air-conditioning equipment in County buildings has been serviced and should be ready to go; still working on replacing the carpet at the War Memorial Building; also reported the annual Tour de Madison event will take place on Saturday, May 19, 2007 beginning with a breakfast at 7:30 a.m. in the Madison Firehouse.

William L. Crigler asked how preparations were coming with the Estes House.

Ross Shifflett advised the tanks will be pulled to attain information needed for the Department of Environmental Quality; all items stored in the building will be removed shortly; he also advised that many of the citizens have received an abundance of the woodchips that were stored at the Madison Transfer Station.

RE: MADISON SOCIAL SERVICES

Nan Coppedge, Director of Social Services, advised that April is "Prevent Child Abuse" month and advised she has buttons and ribbons to show support of the aforementioned cause; she also reported there will be a Madison Family Health Fair on April 17, 2007 from 5:00 p.m. to 7:00 p.m. at the Madison Firehouse; also reported there were no new foster children added to the existing caseload this month.

William L. Crigler asked about the meeting for the Boy's & Girl's Club, to which Nan Coppedge indicated has been scheduled for Thursday, April 12, 2007 at 10:00 a.m.

William L. Crigler asked when the ramp in front of the Social Services building would be repaired/replaced.

Nan Coppedge stated she was informed the repairs would be made near the end of the existing project.

Chairman, Eddie Dean advised the contractors for Phase I of the Courthouse Project will be in place for a while, so the repairs will be done shortly.

IN RE: MADISON CHAMBER OF COMMERCE

Tracey Williams, Tourism Coordinator, was present and stated she was informed all additional work on the sidewalks along Main Street will be done after the rain has ceased; she also stated the Chamber has seven (7) news members; first mixer for 2007 will be sponsored by Montague Miller & Company and TJW Homes – mixer will be held on Thursday, April 12, 2007 from 5:00 p.m. to 7:00 p.m. @ TJW Homes on Route 29; advised the Business Expo is filling up and other activities are being scheduled during this event; attended and typed GMMSP meeting minutes; visitor center had (48) visitors in March (sidewalks/construction) – website had (4,453) hits; getting 20th Annual Tour-de-Madison Bike Tour on the website for May 19th w/registration information; The Hartland Choir (Three Angel's Choral) is set for the afternoon of May 19th at Hebron Lutheran Church – the theme will be “Hymns from 1607-2007”; ordered brochures for Taste of the Mountains festival – working on poster and have started contacting entertainment this month.

IN RE: MADISON COUNTY E-911

Robert Finks, E-911 Coordinator, provided the following report for the month of March: (585) E-911 calls; (370) from regular telephones; (215) from cellular phones; (18) alarm calls; (18) E-911 hang-up(s); (7) open lines; and (2) misdials; he also advised there was a fire near Williamsburg Pike and several acts of vandalism to road signs (uprooted from the ground); he also advised there has been a minimal response to the advertisement pertaining to the False Alarm Ordinance. He also advised the State hosted a seminar on “narrow banding” – he explained all the frequencies the County currently owns are within a certain banding; however, the FCC has mandated the County cut the “banding” into half and must reapply for all FCC licenses and some of the equipment currently being used will be obsolete; he advised the majority of the equipment being used by the County is “narrow band” compatible although some of the older equipment is not; therefore, the County must be in full compliance with “narrow banding” by the year 2011 – as there will be cost associated with this mandate, guidance will be required on behalf of the Madison County Board of Supervisors as whether the

County will cover all costs associated with the upgrade or whether the costs will be handled by the individual agencies.

Chairman, Eddie Dean asked for a general funding amount, to which Robert Finks stated he was unsure but advised that all pagers for the Fire Department and the currently being used by the Fire Department and several walkie-talkies will need to be replaced – also checking to see if three (3) repeaters will be in compliance; however all Motorola equipment currently being used will be compliant. In closing, he advised that once this mandate takes effect, the FCC will “freeze” all licenses and there will be no expansions – all localities must be in compliance by the established deadline. He stated there are currently problems with the radio system in the County (i.e. Etlan).

William L. Crigler verbalized concerns about no additional frequencies being issued after 2011 and asked what will happen should Madison County require an additional satellite in the future for the Fire Department or Volunteer Rescue Squad; he also asked if frequencies can be “banked.”

Robert Finks stated he was not given any specifics as to whether the FCC will make any changes to date – it appears that all (800) frequencies have all been; he also added that frequencies cannot be “banked.” He stated that all frequencies must in place for about one year (1) prior to the time of purchasing frequencies.

Clark Powers asked if site lines will be needed; he also asked about the Graves Mill area.

Robert Finks stated the areas of Etlan and Middle River provided very little frequency; he stated it is anticipated the frequency can be added to the Jim Carpenter tower location and penetrate out; he also advised two (2) additional towers in Madison County would be an asset. Presently, Deputies are able to talk on their car radios when making traffic stops close to the County line but are unable to utilize their walkie-talkies. He stated the Graves Mill area has some frequency capacity due to the tower on Blakey Ridge.

Chairman, Eddie Dean asked if most new purchases are narrow band compatible.

Robert Finks stated most equipment manufactured within the past few years is narrow band compatible - he advised the current equipment will be obsolete in 2011 and strongly suggested the County not procrastinate in following through with the mandate as this must be done by all localities within the same frequency range as Madison County. He advised the County will get to keep one half of the frequencies currently in use after narrow banding has been completed; however, he was unsure as to which half will be retained.

In closing, he explained the licensing procedure and also indicated the frequencies will be doubled; additionally, they are generally spaced apart.

William L. Crigler asked if the Madison School System will be affected in any way; he also inquired as to what the upgrade will cost and feels the County should evaluate the mandates. .

Robert Finks stated the Madison School System is currently utilizing 400 megahertz and he did not believe this frequency will be affected.

Robert Finks stated the old GE equipment was recently replaced and he stated the repeated cost about \$5,500.00.

Chairman, Eddie Dean stated the aforementioned equipment is not considered to be a "budget item" as of yet but the County will have to prepare for the future costs associated with the upgrade.

Chairman, Eddie Dean suggested the Madison County Emergency Advisory Committee will be presented with the task of determining the type of equipment that will need to be changed for the upgrade and provide an overall plan to be executed.

Robert Finks stated he will contact each local agency to collect a report of what equipment is being utilized and what will be needed.

Chairman, Eddie Dean further suggested the County investigate what options may be available.

Robert Finks stated the Fire Department will be looking to upgrade their pagers.

William L. Crigler asked if the County should anticipate a price increase as the deadline date draws near.

Robert Finks stated he has not encountered any problems with getting upgraded equipment to date; however, in order to avoid problems later, he felt it was best the County go ahead and make preparations to be in accordance with the mandate – he also stated the County could investigate pricing and include funding in next year's budget rather than wait until the last few months prior to the deadline date.

Chairman, Eddie Dean suggested the County take an aggressive look at the mandate and make long-range preparations to accommodate the upgrade.

Robert Finks stated representatives from Madison County and several surrounding localities were the target of a statewide study of the (800) megahertz system – currently this system is phasing out and the State is looking at a (700) megahertz system. He further stated a representative felt there would be problems with the frequency being utilized in Madison County due to the mountainous range and high frequencies being unable to give off a high frequency in such terrain.

Bob Miller if fees will be collected from the license provided for frequencies and whether there will be any grant funding made available to Madison County.

Robert Finks stated the representative hosting the seminar indicated that grant funding may become available toward the later part of the program; however, this may delay the issuance of certification.

Lewis Jenkins, EMS Coordinator, indicated there is a fair amount of interoperability funding available; however, this continues to be discussed in several meetings.

IN RE: EMERGENCY MANAGEMENT SERVICES

Carl Pumphrey, EMS Coordinator, provided a report of all activities for the month of March and advised there will be a meeting of the Madison Emergency Advisory Committee scheduled later this month.

IN RE: MADISON EMERGENCY MEDICAL SERVICES

Lewis Jenkins, EMS Coordinator, provided the following report for the month of March 2007:

1. Total calls toned: (120)
2. Total calls handled: (94)
3. Total calls no response: (20)
[(10 Greene; (2) Culpeper and (4) Orange calls for mutual aide assistance were not Answered (no available staff); (4) calls cancelled by 1st responders]
4. Average In-County response time to the scene: 10.7 minutes
5. Night coverage: (11) hours of night coverage on (18) nights
Total calls handled: (20)

Lewis Jenkins stated there was training provided by Dr. Jefferson of Martha Jefferson Hospital; reported Jonathan Hasse has resigned which will be effective within ten (10) days – will start working to get that position advertised in the Madison Eagle.

IN RE: MADISON COUNTY SHERIFF

Erik Weaver provided the following report for the month of March 2007:

1. Total service calls: 890
2. Criminal arrests: 30
3. Civil process (warrants): 432
4. Days of court: 18
5. Animal Control service calls: 64

Erik Weaver, Sheriff provided a report of stats from the Task Force for 2006; advised there was an increase in the seizure of marijuana plants and the usage of marijuana; cash seized is about the same as last year.

Erik Weaver, Sheriff, provided information on a bill being passed by the Governor pertaining to increasing courthouse security from \$5.00 per case to \$10.00 per case; he also advised guidelines pertaining to increasing courthouse security for each criminal and traffic case in district or circuit courts.

Clark Powers asked if there has been a decrease in traffic speeding incidents over the past year, to which Erik Weaver, Sheriff, reported there having been an increase.

William L. Crigler asked if there were seizure of homes or vehicles by the Task Force.

Erik Weaver, Sheriff, stated he did not provide a full overview of all criteria but asked anyone interested in reviewing all details to please stop by the Madison County Sheriff's Office.

Chairman, Eddie Dean stated the Task Force report covers several Counties.

William L. Crigler asked for the method of dividing of seized funds, to which Erik Weaver, Sheriff, stated Madison County received thirteen percent (13%) of the total amount seized.

Erik Weaver, Sheriff, stated if the seizure is made within Madison County, the Commonwealth Attorney gets ten percent (10%); he stated once the police canine has been fully incorporated, they will be seizures made within Madison County and help increase local revenue.

IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION (Right-of-way Abandonment)

Larry Fanton from the Virginia Department of Transportation was present to discuss a Resolution to abandon State Route Number 662 in Wolftown, Virginia – a colored chart was attached that denoted the segments of roadway that are being proposed to be abandoned and added to the secondary system with renumbering.

Bob Miller asked if the Virginia Department of Transportation was involved in a lawsuit pertaining to the State Route being discussed, to which Larry Fanton stated he was not aware of any lawsuit being filed.

V. R. Shackelford, III, County Attorney asked if a Public Hearing was required when a roadway was being considered for abandonment.

Larry Fanton stated a Public Hearing has already been conducted on the property in question.

Bob Miller asked when the Public Hearing was held and in what location.

Larry Fanton stated the Virginia Department of Transportation cannot have such an abandonment move forward without a Public Hearing taking place; he stated the abandonment was advertised on behalf of the Virginia Department of Transportation and stated he was not sure of the exact location; he provided an overview of the abandonment process.

V. R. Shackelford, III, County Attorney clarified there is a different procedure for abandonment and discontinuance and asked if the difference involved a specific Public Hearing on the abandonment. He also raised concerns regarding the County being informed whether the ownership of certain roads was being reverted back to the County.

Larry Fanton stated he felt that information should be denoted in County Clerk's Office.

V. R. Shackelford, III, County Attorney also asked if the Virginia Department of Transportation made sure any changes are recorded in the Clerk's Office after an abandonment has taken place.

Larry Fanton stated nothing more was done by the Virginia Department of Transportation with the exception of a Resolution.

V. R. Shackelford, III, County Attorney suggested the Board table the abandonment request until contact can be made with Donald Gore as he felt the Virginia Code required a Public Hearing to be conducted prior to approving a road abandonment.

Lisa Kelley, County Administrator, advised after V. R. Shackelford, III, County Attorney converses with Donald Gore of the Virginia Department of

Transportation and has answers, a Public Hearing can be advertised to address the roadway abandonment if needed – this can be also be added to the May Agenda.

After discussion, on motion of Bob Miller, seconded by William L. Crigler, the Board voted to table the abandonment request until the May Regular Meeting, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Absent
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

Chairman, Eddie Dean thanked Larry Fanton for attending tonight's session.

IN RE: MADISON VOLUNTEER RESCUE SQUAD

William L. Crigler provided the following report for March 2007:

(52): Patient emergencies
 (3): Public Assistance
(2): Cancelled – not needed
 (57): Total calls

William L. Crigler advised there was discussion at the recent meeting regarding overlapping of staff scheduled to handle night calls - this issue will continue to be addressed in order to find a resolution.

IN RE: MINUTES

On motion of Bob Miller, seconded by Clark Powers, Minutes #9, #10, #11, and #12 are approved as presented and spread in Minute Book #15, page through , with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Absent
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

CURRENT CORRESPONDENCE:**CAMP VARSITY (Fireworks Permit)**

Lisa Kelley, County Administrator, stated she received a request for a Fireworks Permit from Camp Varsity; she advised the Board there is not a local Ordinance that provides for a permit of this nature and the state law requires the Madison County Board of Supervisors to provide for such a permit in accordance with the minimum standards of the State Fire Code; she advised by signing off on the request, the applicant will be allowed to purchase the fireworks and denote it is legal for the possession of the fireworks. .

Lisa Kelley, County Administrator, advised that should the Madison County Board of Supervisors desire, she can take action on the request and indicate the applicant has a full knowledge and confirmation there are no local regulations that must be met. She advised if the Board would like to continue overseeing this type of request, the applicant has indicated he is fine with waiting until the May Regular Meeting for the Board's decision regarding this matter.

Lisa Kelley, County Administrator, advised she spoke with Wes Smith, Building Official regarding what implications would result from the development of a local Ordinance for Fireworks permits – he advised his would cause some impact on his office as it would involve processing and require staff to process/spot check areas in which fireworks are being used to ensure they are in compliance with State regulations. Additionally, Wes Smith is in the process of investigating whether those that participate in fireworks displays have to incur significant expense to actually meet the regulations as established by the State's Fire Code.

V. R. Shackelford, III, County Attorney advised there are about three (3) local residents who apply for such permits annually (i.e. Graves, Woodberry, Camp Varsity) and this permit is required in order for each individual to order fireworks.

William L. Crigler asked in the event of a drought and declaration of it not being safe to set off fireworks, would such unsafe conditions over-rule the local citizen's from setting them off.

Lisa Kelley, County Administrator, advised she could include a clause to

the permit to indicate in the event there are drought conditions and a local Ordinance passed to prohibit the setting off of fireworks, this will overrule any permission being provided by the Fireworks Permit. She advised if these types of requests are handled in the manner as denoted by the State regulations, such permits will be issued by the Building Official's Office; however, Wes Smith has indicated he is not ready for the Madison County Board of Supervisors to propose the County adopt that portion of the Fire Code; however, this is something that can be worked through in the future.

After discussion, the Board agreed that Lisa Kelley, County Administrator, could handle these types of requests and report to the Board without placing these types of requests as Board Agenda items.

Bob Miller verbalized concerns about Camp Varsity and whether they purchase a permit to dispose of debris at the Madison Transfer Station; he also advised he has seen the owner bringing debris in a private vehicle from Camp Varsity which is a commercial source generator rather than household debris.

Chairman, Eddie Dean advised this situation could become rather unpleasant if interference takes place under the current circumstances as he feels there are others following the same procedures.

Bob Miller stated he did not feel it was fair for other County citizens to pick up the cost caused by other citizens abusing the system at the Madison Transfer Station.

Lisa Kelley, County Administrator, advised there was a local resident who brought a large roll-off to the Madison Transfer Station and claimed it contained "household trash" – however, he was charged the commercial fees and she feels there may be a bit of balancing that takes place; she stated there may be a need to investigate the fee structure and determine what citizens will have to pay.

RAPIDAN BAPTIST CAMP & CONFERENCE CENTER (Settlement Agreement)

V. R. Shackelford, III, County Attorney provided the Board with an update on the legal suit with the Rapidan Baptist Camp; he advised the settlement has been attained and the County will not refund any back payments; however, beginning this year, the camp property (according to Gale Harris, Commissioner of the Revenue) which consists of twenty-three (23) acres will be tax exempt – all three (3) residences and one

(1) acre surrounding each residence will be taxed and the rest of the property will be taxed as “land use” but will not have any special tax exemption.

V. R. Shackelford, III, County Attorney advised there was a debate as to if the Rapidan Baptist Camp & Conference Center has the right to have a survey completed of the camp area (at their cost) as the County is not absolutely sure the property consists of twenty-three (23) acres) although he does not feel this will be done. If this procedure is carried through and it is noted the property consists of more than twenty-three (23) acres, the additional acreage would come in and the applicant will have to pay the rollback on the additional acreage. Furthermore, if the applicant builds a cabin for campers beyond the twenty-three (23) acres, the additional acreage would come in and the applicant will be required to pay the rollback tax for the additional acreage.

V. R. Shackelford, III, County Attorney also advised there is a provision included which stated should the usage change or if the property is sold, the County can re-examine the exemption; there is also a specification that denotes the houses will not be exempt unless they are used on a full-time basis (exclusively) by a “Minister” as opposed to a “Camp Director.”

V. R. Shackelford, III, County Attorney stated he feels the aforementioned procedures are in line with the guidelines the County utilizes with the Baptist Camp – he advised the outcome could have called for the plaintiff to receive a refund of five (5) to six (6) years of taxes.

In closing, V. R. Shackelford, III, County Attorney advised the outcome on the aforementioned case will afford the applicant a significant tax reduction even though the vast majority of the property will not be exempt but will be in the Land Use Program which really cuts one’s taxes. He also stated their annual taxes will be reduced from \$7,500.00 to about \$2,700.00, he feels the settlement was acceptable and he suggested the Board approve such settlement. He advised the settlement has been presented to Gale Harris, Commissioner of the Revenue for her signature, as well – he anticipates the Trustees of the Rapidan Baptist Camp & Conference Center will meet and sign the agreement at their meeting this evening; after all signatures have been attained, the suit will be dropped in the court records.

After discussion on motion of William L. Crigler, seconded by Bob Miller, the Board accepted the settlement agreement with the Rapidan Baptist Camp & Conference Center as recommended by V. R. Shackelford, III, County Attorney with regard to local tax exemption for a portion of their real estate located in Madison County, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Absent
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

DR. HERBERT PUTZ (Court Case)

V. R. Shackelford, III, County Attorney also reported the case brought before the County on behalf of Dr. Herbert Putz was dismissed by the Circuit Court Judge.

V. R. Shackelford, III, County Attorney advised that County staff spend a considerable amount of time dealing with requests presented by Dr. Putz.

Lisa Kelley, County Administrator, advised a letter was received from Dr. Putz pertaining to the 2007-2008 Budget.

MADISON COUNTY LIBRARY BOARD

Lisa Kelley, County Administrator, also advised a letter has been received from the Madison County Library Board and a copy of a supplemental request submitted by Nan Coppedge, Director of the Department of Social Services – she advised the numbers in the letter have already been programmed into the 2007-2007 County Budget and stated Nan Coppedge did not build salary and VRS amounts into her budget request.

William L. Crigler asked if the Department of Social Services qualified for LEOS coverage, to which Lisa Kelley, County Administrator, replied that a portion of that type of coverage will be added to each department and she was unsure if the percentage used by Nan Coppedge (12.34%) included any additional percentage attributable to this specific request – also had to include the five percent (5%) pay increase.

ROUTE 15 RESOLUTION

Lisa Kelley, County Administrator, advised the Board members of the copy of the Resolution for Route 15 and asked if there were any editorial changes noted.

Lisa Kelley, County Administrator, also advised the Board of the second applicant for the Madison County Planning Commission withdrew his application due to present time constraints.

IN RE: EXECUTIVE SESSION

On motion of William L. Crigler, seconded by Bob Miller, the Board voted to go into Executive Session to discuss matters exempt from the open meeting requirements of the Freedom of Information Act – the subject and purpose falls within the following exemptions: Personnel Matters, 2.2.3711 (A)(1) that pertains to an interview and position on the Madison County Planning Commission, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Absent
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

On motion of William L. Crigler, seconded by Clark Powers, the Board voted to go back into open session with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Absent
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

On motion of William L. Crigler, seconded by Clark Powers, the Board took roll call to certify that nothing was discussed which was not authorized by the Code of Virginia and that the following Resolution is adopted with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Absent
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

MOTION: William L. Crigler

RESOLUTION NO: 2007-4

SECOND: Bob Miller

MEETING DATE: April 10, 2007

CERTIFICATION OF EXECUTIVE MEETING

WHEREAS, the Madison County Board of Supervisors has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, 2.1-344.1 of the Code of Virginia requires a certification by the Madison County Board of Supervisors that such executive meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Madison County Board of Supervisors hereby certify that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were heard, discussed or considered in the executive meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Madison County Board of Supervisors.

VOTE

AYES, Eddie Dean, William L. Crigler, Bob Miller, Clark Powers

ABSTAIN: None

NAYS: None

(For each nay vote, the substance of the departure from the requirements of the act should be described)

ABSENT DURING VOTE: James L. Arrington

ABSENT DURING MEETING: James L. Arrington

Clerk/Secretary of the Madison County Board of Supervisors

Eddie Dean	Aye
James L. Arrington	Absent
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

As a result of Executive Session, on motion of William L. Crigler, seconded by Clark Powers, the Board appointed David C. Jones to serve on the Madison County Planning Commission for a four-year term beginning April 10, 2007 and ending April 11, 2007, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Absent
William L. Crigler	Aye
Bob Miller	Nay
Clark Powers	Aye

Chairman, Eddie Dean conversed with David Jones as to whether a Public Hearing is necessary prior to the Virginia Department of Transportation abandoning a secondary roadway.

David Jones stated a portion of the roadway in question was abandoned at another point in time and he stated he believed the Public Hearing was to be done by the Virginia Department and not the Madison County Board of Supervisors.

William L. Crigler asked if the roadway would be designated to the County or Commonwealth of Virginia.

David Jones asked if the easement was prescriptive and stated in these situations, the roadway was reverted back to the landowner(s).

William L. Crigler stated a portion of the roadway to be abandoned reverts back to the Commonwealth and a portion to the County.

Chairman, Eddie Dean thanked David Jones for coming to the meeting.

Chairman, Eddie Dean asked if the Board wanted to take action on the Madison County Planning Commission vacancy or wait until the evening session.

After discussion, on motion of William L. Crigler, seconded by Clark Powers, the Board voted to accept David C. Jones to fill the vacancy on the Madison County Planning Commission, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Absent
William L. Crigler	Aye
Bob Miller	Nay
Clark Powers	Aye

IN RE: BUDGET SESSION

Lisa Kelley, County Administrator, advised the Board will meet on Thursday, April 12, 2007 from 8:00 a.m. to 10:00 a.m. to discuss budgetary concerns; she also stated it might be possible to meet on Friday for a block of time to get all budgetary concerns completed.

Chairman, Eddie Dean stated he was unable to make a long-term commitment at the present time but did state he would be available from 8:00 a.m. to 10:00 a.m.

V. R. Shackelford, III, County Attorney advised the Board of the advertising schedule for the 2007-2008 Budget and also asked about the proposed tax rate, to which Chairman, Eddie Dean responded would remain at fifty-nine cents (.59).

Chairman, Eddie Dean advised he would like to see all budgetary procedures completed and ready for advertisement on April 19, 2007.

After discussion, the Board decided to meet on Thursday, April 12, 2007 beginning at 7:00 a.m. at the Thrift Road Complex.

On motion of Bob Miller, seconded James L. Arrington, Chairman, Eddie Dean recessed the meeting until 7:30 p.m.

7:30 P.M.: Meeting reconvened with Chairman, Eddie Dean calling the meeting to order.

IN RE: PUBLIC COMMENT

Chairman, Eddie Dean opened the floor for public comment regarding the 2007-2008 Budget.

Todd Palmquist of the Piedmont Workforce Network provided an overview of his agency and stated they are hoping to provide worker training to local businesses; he also thanked the Madison County Board of Supervisors for their continued support and advised of a Youth Workforce Council meeting scheduled for April 19, 2007.

Melissa Domenico Payne of SAFE (Service to Abused Families) was present and provided information on new initiatives being offered by her agency; she also advised her agency provides service to abused children and services are free to those with a dire need.

Cathy Clements of the Hospice of the Rapidan was present and thanked the Madison County Board of Supervisors for their continued support.

Jacqueline Mow of the Madison Free Clinic was present and thanked the Madison County Board of Supervisors for the office space and the first time monetary

donation that has been awarded to her agency.

Jack Fray of the Madison Volunteer Fire Department was present and thanked the Madison County Board of Supervisors for their continued support; he advised the proposed increase of \$2,000.00 represents funding based on the allocation the County receives based on population.

Chris Miller of Aging Together was present and provided an overview of services provided by her agency; she also invited the Madison County Board of Supervisors to attend an upcoming event.

Deborah Reed of Rappahannock Legal Services was present and thanked the Madison County Board of Supervisors for their continued support; she also provided a brief overview of services offered by her organization and stated the increase is being requested due to retain necessary personnel.

Doug Jones of the Rappahannock Juvenile Detention Center was present and stated the proposed budget request presented by his organization represents an increase as a result of a debt service payment which is included in the request.

William L. Crigler asked about the length of the bond agreement, to which Doug Jones replied was eighteen (18) years.

Doug Jones stated it has been his goal to improve the budget process being demonstrated by his agency and also advised there will not be another holiday given to the debt service in the future.

Brian Duncan of the Rappahannock Rapidan Community Services Board was present and thanked the Madison County Board of Supervisors for their continued support; he also advised the increase being sought by his organization is due to a per capita increase; he also advised his agency serves 5,000 people annually throughout the year.

Nancy Demarest of the Madison County Library Board was present and provided an overview of funding contributed toward local libraries in other Virginia localities; she advised the current funding of \$7.43 being contributed by Madison County is significantly lower than the state medium of \$18.71; she advised the Madison County Library provides a significant service to the local citizens and has also established an endowment fund and has provided health insurance for the one (1) full-time staff

member.

Bonnie Utz was present and stated the Madison County Library has increased it's inventory of books; she also explained all the services currently being provided by the facility for all citizens of Madison County.

Susan Hyland was present and expressed concerns over the \$5,000.00 (proposed) increase that was submitted for the Madison County Library; she also explained the proposed increase will pose a thirty-five cents (.35) increase per citizen for the year. She also advised if the County fails to provide proposed funding to the Madison County Library, the County may well lose the current funding being provided to the facility.

Chris Price of the Thomas Jefferson EMS Council was present and thanked the Madison County Board of Supervisors for their continued support.

James "Lucky" Graves was present on behalf of the Madison County Farm Bureau and asked the Madison County Board of Supervisors to eliminate the farm machinery tax.

Janet Herr of Rapidan Better Housing was present and thanked the Madison County Board of Supervisors for their continued support; she advised the proposed budget request of \$7,000.00 being submitted by her organization does not represent any change.

Nan Coppedge of the Department of Social Services was present and provided a breakdown of local funding and added the proposed increase of \$66,000.00 being sought by her agency is to compensate for one (1) additional Social Services worker.

Teresa Hutchens of the Health Department was present and thanked the Madison County Board of Supervisors for their continued support; she advised her organization is requesting \$5,720.00 in budget support this year.

Jeff Jenkins of the Madison Volunteer Rescue Squad was present and stated the budget increase being presented by his organization does not reflect an increase.

Steve Grayson of the Madison Chamber of Commerce was present and thanked the Madison County Board of Supervisors for their continued support and stated

his organization is not requesting a budget increase this year; he also advised the Business Expo will be held on May 17, 2007 at the Madison Firehouse.

Jeff Early, Commissioner of Accounts, was present and also represented the Madison County School Board; he stated the proposed increase being sought by the school system was for compensation to school personnel.

Clark Powers asked how the fuel cost projections noted in the school's budget request was figured.

Jeff Early stated the fuel cost increase is solely a projection only and added there are currently twenty-nine (29) regular passenger busses, four (2) Special Educational busses and busses that operate during the half-day program.

Joyce Sharp was present and advised the Madison County Board of Supervisors of all the services the Madison County Library offers to the citizens of Madison County; she also encouraged the Board to support the Library's budget request as well as the budget request being sought by the Madison County School Board.

Chairman, Eddie Dean thanked all for attending tonight's Public Hearing and advised the Board will be in the process of balancing the budget over the next several days.

IN RE: RESOLUTION FOR ROUTE 15 – SCENIC BYWAY

Chairman, Eddie Dean stated the Board will need to discuss the Resolution to establish Route 15 as a Scenic Byway.

Bob Miller stated the recognition has been referred to as a Virginia Scenic Byway and asked whether this is the correct definition.

Lisa Kelley, County Administrator, stated she researched this topic and advised the two (2) terms utilized in the State Code are "Virginia Byway" and "Scenic Highway" – she advised the term "Scenic Byway" is one that comes from the National Program and is commonly used; however, "Virginia Byway" seems to be the designation that would apply to Route 15 under the definitions as indicated in the State Code.

James Jewett was present and stated he has a concern that dates back to 1999 when there was a proposed scenic designation for Route 714 that runs on the other side of his property – he stated it was indicated by the State that traffic will increase on Route 15 and he was concerned about the fact that it appears increased traffic is being

encouraged despite the fact the Virginia Department of Transportation has stated there will not be a significant amount of expansion of Route 15; he further stated there are property owners within the Locust Dale area who oppose the highway designation but also support the Scenic Byway which will encourage traffic. In closing, Mr. Jewett stated he feels the designation will only create a traffic nuisance and introduce the possibility of degrading safety issues on Route 15 (speed limit, embankment). He also advised he will submit a letter to the Madison County Board of Supervisors that will provide more detailed concerns regarding the Journey through Hallowed Ground designation.

Randall Lillard was present and expressed concerns about the state designation and stated guidelines for the National Scenic Byway designation denote that a road must be considered as a State Scenic Byway before it can be considered for National designation; he reminded the Board of comments noted on the editorial page of an edition of the Madison Eagle and feels the County should be concerned about a published statement made in the past by President James Madison.

Ruth Lillard was present and stated she feels freedom lost is seldom regained and also where there is “federal money” there is “federal control.” She also stated the fact the survey was only submitted to the residents who live along Route 15 rather than to the entire County was very non-democratic in the fact the entire County will be involved; she indicated she found out about the survey after the closing date and feels this was very unfair.

James Hale was present and expressed support of statements verbalized by Randall and Ruth Lillard; he feels the designation will result in Route 15 becoming a federalized highway with controls on everything from Route 15 through to Skyline Drive and the view shed. In closing, he stated when Route 231 was designated as a Scenic Byway, this created an extensive traffic increase; also, he feels the entire County will feel the effects of federal control.

William L. Crigler asked if the Resolution acted upon tonight dealt specifically with a state designation only.

Lisa Kelley, County Administrator, advised the Resolution does deal with a state recognition only as a “Virginia Byway” – however, if the road was later proposed to become a part of the National Scenic Byway Program, this would be another step,

although it would not be affected by the aforementioned Resolution; she advised one of the criteria for being accepted into the National Program is being designated by the State.

Clark Powers asked if tonight's approval of the Resolution would indicate the Madison County Board of Supervisors was "inviting" future designation into the National Program.

Lisa Kelley, County Administrator, advised this does not mean the Madison County Board of Supervisors is "inviting" involvement on a national level; however, by approving tonight's Resolution, the Board is stating it does not support the proposal at the present time as there has not been a wealth of information provided as to what will be involved in the National Program.

James Hale asked once the approved Resolution is forwarded from the County whether anything will be returned regarding the proposal.

Lisa Kelley, County Administrator, stated she felt if an application was sent to the federal government, there would be hopes for local support; however, she was unsure if this would require further Resolutions, but anyone proposing such a designation would need to demonstrate support at the local level.

In closing, she advised if a locality became part of the National Program, the corridor would have to be developed along with local support at that level; therefore, she feels the County will have some additional input although no additional action may be required on behalf of the Madison County Board of Supervisors.

Bob Miller stated it was the intention of the Madison County Board of Supervisors to mail survey forms to those individual landowners living along the Route 15 Corridor and then provide the opportunity to any resident to respond on the County's website; he also provided statistics on the percentage of those resident who responded to the survey.

Ruth Lillard stated she was not familiar with the County's website and also indicated there was no advertisement in the Madison Eagle to inform citizens of the survey; she further stated the designation will affect the entire County and not just the resident living along Route 15.

Chairman, Eddie Dean advised it is the responsibility of the Madison County Board of Supervisors to deal with any part of Madison County; he also stated that

Route 15 only runs through a small section of Madison County – he stated the type of survey that was distributed was specific – the Madison County Board of Supervisors stated what needed to be done and this was done.

Chairman, Eddie Dean stated there was an article in the Madison Eagle although the actual survey was not published.

Ruth Lillard stated there was an article in the Madison Eagle that mentioned the survey although there was no mention of the web page that residents could access.

Chairman, Eddie Dean advised the Madison County Board of Supervisors discussed all measures what would be taken during an open meeting regarding the issue and he feels there was nothing done in a non-democratic manner.

In closing, Chairman, Eddie Dean advised he felt the Madison County Board of Supervisors has gone overboard in listening to all concerns regarding this discussion and allowing citizens several opportunities to speak – he advised anything else would be a false implication and very offensive as the designation does involve “Route 15.”

Wayne Tatum was present and stated he feels the County should give serious thought to the proposed designation as this will create increased traffic.

Bob Miller stated that Route 15 is now designated on the map as a “Virginia Byway” and has been denoted as such for a number of years; therefore, he was questioning what type of affect this factor has had on traffic.

Clark Powers stated that after hearing many concerns regarding the proposed designation he could not be in favor of adopting tonight’s Resolution despite the fact the Madison County Board of Supervisors is not in favor of a National designation.

RESOLUTION SUPPORTING THE DESIGNATION OF RT. 15 WITHIN MADISON COUNTY, VIRGINIA AS A VIRGINIA BYWAY

WHEREAS, the Commonwealth Transportation Board has pending before it a request seeking designation of a portion of Rt. 15 as a Virginia Byway, as defined within Virginia Code Section 33.1-63, and the Transportation Board has requested each affected county, city and town to indicate whether or not it supports the proposed designation; and

WHEREAS, the request for state byway designation has been initiated by the Journey Through Hallowed Ground Partnership, as a means by which to obtain special recognition for the scenic and historically rich landscape through which the road passes, and this objective is consistent with Madison County's Comprehensive Plan; and

WHEREAS, this Board of Supervisors has received public comment at several meetings and through conducting a survey of persons who own property near or adjacent to Rt. 15 within Madison County, and there is support for the proposed state byway designation; and

WHEREAS, this Board of Supervisors is of the opinion that Rt. 15 within Madison County does have relatively high aesthetic or cultural value, leading to areas of historical, natural or recreational significance, and therefore that Rt. 15 is a good candidate for state designation;

NOW, THEREFORE, BE IT RESOLVED THAT the Madison County Board of Supervisors hereby expresses its support to the Commonwealth Transportation Board for the proposed designation of Rt. 15 as a Virginia Byway.

BE IT FURTHER RESOLVED THAT this endorsement is limited to the proposed Virginia Byway designation, and our support for this limited designation should not be construed as support for any initiative or proposal for inclusion of Rt. 15 in the National Scenic Byways Program, either as an "All American Road" or a "National Scenic Byway."

On motion of Bob Miller, seconded by William L. Crigler, the Resolution is adopted this 12th day of April, 2007.

Eddie Dean, Chairman, Eddie Dean
Madison County Board of Supervisors

	Aye	Nay	Abstain	Absent
Eddie Dean	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
James L. Arrington	<u> </u>	<u> </u>	<u> </u>	<u> x </u>
William L. Crigler	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Bob Miller	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Clark Powers	<u> </u>	<u> x </u>	<u> </u>	<u> </u>

After discussion, on motion of Bob Miller, seconded by William L. Crigler, the Resolution is adopted, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Absent

William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Nay

After discussion on motion of Bob Miller, seconded by William L. Crigler, Chairman, Eddie Dean continued the meeting to 7:00 a.m. on Thursday, April 12, 2007 at 302 Thrift Road, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Absent
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

Eddie Dean, Chairman

Lisa R. Kelley, County Administrator

Date: April 11, 2007

Copies: Eddie Dean, James L. Arrington, William L. Crigler, Bob Miller, Clark Powers,
V. R. Shackelford, III & Constitutional Officers
